

Message Text

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ORIGIN EUR-12

INFO OCT-01 ISO-00 SS-15 ICAE-00 HA-05 L-03 SSO-00
NSCE-00 CIAE-00 INR-10 NSAE-00 INRE-00 DODE-00
PM-05 H-01 PA-01 SP-02 /055 R

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HA:CBRODY

L/EUR:JWILLIS (SUBS)

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O P 202344Z JUL 78

FM SECSTATE WASHDC

TO AMEMBASSY BONN IMMEDIATE

INFO USMISSION USBERLIN PRIORITY

AMEMBASSY BERLIN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION USNATO

C O N F I D E N T I A L STATE 184445

E.O. 11652: GDS

TAGS: PGOV, BQG

SUBJECT:ALLIED DEMARCHE ON HUEBNER CONVICTION

REF: BONN 13231

1. THE DEPARTMENT HAS THE FOLLOWING COMMENTS ON THE PROPOSED TEXTS OF THE DEMARCHE TO THE SOVIETS AND THE PRESS
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STATEMENT ON THE HUEBNER CASE.

2. IN OUR VIEW THE ALLIED LEGISLATION ON THE DEMILITARIZATION OF BERLIN IS CLEARLY PART OF THE "EXISTING SITUATION" IN BERLIN TO WHICH THE QA REFERS. WE WOULD THEREFORE PREFER THAT THE PHRASE CONCERNING VIOLATION OF THE QA REMAIN IN THE DEMARCHE. THE EMBASSY, HOWEVER, IS AUTHORIZED, IF NECESSARY

TO SECURE A CONSENSUS, TO AGREE TO ITS DELETION AS PROPOSED BY THE BRITISH (PARA 5 OF REFTEL).

3. WE BELIEVE THAT IN THE FINAL PARAGRAPH OF THE DEMARCHE WE SHOULD ASK FOR A REVIEW OF THE "CONVICTION AND SENTENCING OF MR. HUEBNER" RATHER THAN OF "MR. HUEBNER'S CONVICTION AND SENTENCE." FYI: WE FIND IT ACCEPTABLE TO REFER TO THE ENTIRE LEGAL ACTION TAKEN AGAINST HUEBNER. THE MAIN ISSUE, HOWEVER, IS THE VIOLATION OF THE DEMILITARIZED STATUS OF BERLIN AND WE WISH TO AVOID OBSCURING THIS QUESTION AND

POSSIBLY OPENING OURSELVES TO A DEBATE ON THE ACCEPTABLE LENGTH OF A SENTENCE FOR REFUSING CONSCRIPTION BY SPECIFICALLY REQUESTING A REVIEW OF HUEBNER'S SENTENCE. END FYI. WE PREFER THE ORIGINAL AD REF TEXT OF THE FINAL PARAGRAPH WITH THE CHANGE MENTIONED ABOVE. HOWEVER, THE EMBASSY IS AGAIN AUTHORIZED TO AGREE TO THE CHANGES PROPOSED BY THE BRITISH (PARA 5 OF REFTEL), IF NECESSARY TO OBTAIN PROMPT APPROVAL AND IF "SENTENCE" IS REPLACED BY "SENTENCING."

4. FOR THE REASONS ADVANCED IN PARA 3 ABOVE, WE PREFER THAT THE PRESS STATEMENT REFER TO "THE CONVICTION AND SENTENCING OF NICO HUEBNER" RATHER THAN "THE SENTENCE IMPOSED ON NICO HUEBNER."

5. WITH THE EXCEPTIONS NOTED ABOVE, THE DEPARTMENT APPRO-
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VES THE DEMARCHE AND PRESS STATEMENT AS CONTAINED IN REFTEL. WE ASSUME THAT DEMARCHE WILL BE DELIVERED BY CHAIRMAN POLAD IN BERLIN AND THAT PRESS STATEMENT WILL BE RELEASED IN BERLIN. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DEMARCHE, POLITICAL PRISONERS, COURT DECISIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 20 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE184445
Document Source: CORE
Document Unique ID: 00
Drafter: RDJOHNSON
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780299-0222
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780736/aaaabekq.tel
Line Count: 98
Litigation Code IDs:
Litigation Codes:
Litigation History:
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Message ID: 4b4fa66f-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 BONN 13231
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 21 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1934473
Secure: OPEN
Status: NATIVE
Subject: ALLIED DEMARCHE ON HUEBNER CONVICTION
TAGS: PGOV, UR, BQG, (HUEBNER, NICO)
To: BONN
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/4b4fa66f-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014